

Ref. Room

LAW OFFICES

COHEN AND BERFIELD, P.C.

BOARD OF TRADE BUILDING

1129 20TH STREET, N.W.

WASHINGTON, D.C. 20036

(202) 466-8565

LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
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*VIRGINIA BAR ONLY

TELECOPIER
(202) 785-0934

December 27, 1991

Federal Communications Commission
Mass Media Services
P.O. Box 358165
Pittsburgh, PA 15251-5165

JAN 2 10 16 AM '92

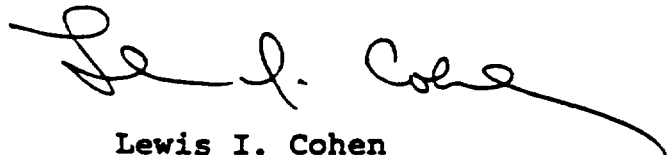
Dear Sir/Madam:

On behalf of Glendale Broadcasting Company, we are submitting an original and two copies of an application for a construction permit for a new commercial television station on Channel 45 at Miami, Florida. The tendered application is timely filed pursuant to Section 73.3516(e) of the Commission's rules and is mutually exclusive with the pending renewal application of WHFT, Miami, Florida.

A check for \$2,535 is enclosed as payment of the hearing fee, along with FCC Form 155.

Should there be any questions, kindly communicate directly with this office.

Respectfully submitted,



Lewis I. Cohen

Enclosures

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only

FEE NO:

FEE TYPE:

FEE AMT:

ID SEQ:

For APPLICANT Fee Use Only

Is a fee submitted with this
application? ☒ Yes ☐ No

If fee exempt (see 47 C.F.R. Section 1.1112),
indicate reason therefor (check one box):

☐ Noncommercial educational licensee

☐ Governmental entity

FOR COMMISSION USE ONLY

FILE NO. BPCT-911227KE

Section I - GENERAL INFORMATION

1. Name of Applicant GLENDALE BROADCASTING COMPANY		
Street Address or P.O. Box P.O. Box 38		
City Carlisle	State PA	ZIP Code 17013
Telephone No. (include Area Code) (717) 245-2723		

Send notices and communications to the following person at the address below: *		
Name George F. Gardner		
Street Address or P.O. Box P.O. Box 38		
City Carlisle	State PA	ZIP Code 17013
Telephone No. (include Area Code) (717) 245-2723		

2. This application is for: ☐ AM ☐ FM ☒ TV

(a) Channel No. or Frequency 45

(b) Principal Community	City Miami	State FL

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: _____

☐ MINOR change in licensed facilities; call sign: _____

☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ MINOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☒ Yes ☐ No

If Yes, state:

Call letters WHEP	Community of License	
	City Miami	State FL

* cc: Cohen & Berfield, P.C., 1129 20th St., N.W., #507, Wash., DC 20036

SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$ 2,169,816

3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
George F. Gardner 500 Glendale Street Carlisle, PA 17013	717-245-2723	Shareholder, Officer and Director	\$ 2,169,816
The Firestone Company 3932 Oxford Lane San Bernardino, CA 92404	714-882-3045	Equipment Lessor	\$1,156,400
SEE EXHIBIT 4			

EXHIBIT 4

December 20, 1991

Ms. Mary Anne Adams
Vice President
Glendale Broadcasting Company
469 E. North Street
Carlisle, PA 17013

Dear Mary Anne:

This is in connection with Glendale Broadcasting Company's application for a new television station in Miami.

The sum of \$2,169,816 will be required to meet the construction and initial operation costs for three months. I am willing to loan to Glendale Broadcasting Company up to that amount for construction and initial operation costs. The loan will be for a five year period at 9% interest. No collateral will be required. No principal or interest need be paid until the station has been broadcasting for six months. I have more than sufficient assets to meet this commitment. While I do not have net liquid assets totaling this amount, I have more than sufficient assets which I can sell to meet this loan commitment. I have identified specific assets which are unencumbered and that can be readily converted to cash or other liquid assets. The sale of those assets would provide me with sufficient liquid assets to meet this loan commitment. I am willing to sell such assets as are necessary to meet this commitment.

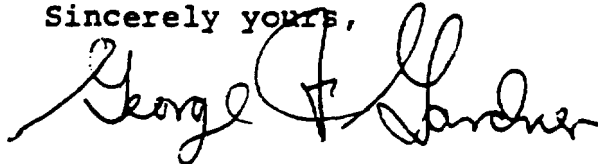
I am also aware that The Firestone Company is proposing to lease Glendale Broadcasting Company its equipment. The cost to purchase this equipment is \$1,156,400. To the extent Glendale Broadcasting Company utilizes the leasing arrangement with The Firestone Company, that will reduce the loan requirements of

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Glendale Broadcasting Company to \$1,219,839. That total would include the first six lease payments of \$206,423 to The Firestone Company, as well as post-grant, pre-operation expenses and costs of operation for 90 days. However, I am prepared to loan the entire \$2,169,816 required by Glendale Broadcasting Company, if for any reason Glendale Broadcasting Company does not utilize the lease arrangements with The Firestone Company.

Finally, I intend to loan Glendale Broadcasting Company sufficient funds as it prosecutes its application to meet all of its expenses on an ongoing basis.

Sincerely yours,

A handwritten signature in cursive script, reading "George F. Gardner". The signature is written in dark ink and is positioned above the typed name.

George F. Gardner

President

Glendale Broadcasting Company

DECLARATION

George F. Gardner, under penalty of perjury, declares that the following is true and correct to the best of his knowledge:

I am the President of Glendale Broadcasting Company, an applicant for construction permits for new commercial television stations at Miami, Florida (File No. BPCT-911227KE) and Monroe, Georgia (File No. BPCT-920228KE).

I was the person who signed both of Glendale's applications. I certified that Glendale was financially qualified to construct both the Miami and Monroe stations. At the time I signed the original Miami application, Glendale was relying upon me for \$2,169,816 in funds as well as a leasing letter from The Firestone Company. Glendale amended its Miami application on March 26, 1992 to substitute a bank letter from Northern Trust Bank for my personal funds. For the Monroe application, Glendale has always relied upon me for the \$2,871,066 it estimates is needed to construct the Monroe station and operate it for three months without revenue.

When I signed the Miami application on December 24, 1991 and the Monroe application on February 26, 1992, I had a financial statement detailing my financial condition as of December 6, 1991. There was no material change in my financial condition between December 6, 1991 and February 26, 1992. That financial statement showed that I had assets of \$11,997,327 with no liabilities. Even if the value of the amounts receivable listed in that statement was reduced by twenty-five percent and the value of the listed real estate was reduced by one-third, my financial statement showed

assets far exceeding the \$5,040,882 I needed to finance both the Miami and Monroe applications during the period from February 28, 1992 to March 26, 1992.

The statements I made to Mary Anne Adams in my letters dated December 20, 1991 and February 26, 1992 were true and correct. I have always had more than sufficient unencumbered assets to meet my commitments to Glendale.

July 1, 1993
Date

George F. Gardner
George F. Gardner

CERTIFICATE OF SERVICE

I, Nathaniel F. Emmons of the law firm of Mullin, Rhyne, Emmons and Topel, P.C., hereby certify that on this 12th day of August, 1993, copies of the foregoing "Contingent Motion To Enlarge Issues" were sent by first class mail, postage prepaid, to the following:

* The Honorable Joseph Chachkin
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.--Room 226
Washington, D.C. 20554

* Robert Zauner, Esq.
Gary Schonman, Esq.
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.--Room 7212
Washington, D.C. 20554

Lewis I. Cohen, Esq.
John J. Schauble, Esq.
Cohen & Berfield
1129 20th Street, N.W.
Washington, D.C. 20036


Nathaniel F. Emmons

* Hand Delivered